

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

LIGHTING BALLAST CONTROL LLC,

§

Plaintiff,

§

CIVIL ACTION NO. 7:09-CV-00029-O

v.

§ JURY TRIAL DEMANDED

UNIVERSAL LIGHTING TECHNOLOGIES,
INC.,

§

Defendant.

§

JOINT MOTION FOR LEAVE TO FILE FINAL AGREED CHARGE

COMES NOW, Plaintiff LIGHTING BALLAST CONTROL LLC (“LBC”) and Defendant UNIVERSAL LIGHTING TECHNOLOGIES, INC. (“ULT”) and file this Joint Motion for Leave to File Final Agreed Charge, respectfully showing the Court as follows:

1. Pursuant to the Court’s December 27, 2010 Final Scheduling Order, the parties are to file an Agreed Charge by 2:00 p.m. today. The parties have been diligently working together to prepare Agreed Preliminary Instructions and an Agreed Jury Charge. However, the parties are still trying to resolve a few issues and are hopeful about the prospects of reaching agreement on additional items and, if they cannot, need to note the appropriate objections.

2. In order to meet the Court’s 2:00 p.m. deadline, and out of an abundance of caution, Plaintiff (on behalf of both parties) filed the parties’ most current version of the Agreed Preliminary Instructions and an Agreed Jury Charge. However, the parties respectfully request additional time to finalize their Agreed Charge and to file a Final Agreed Charge on or before Tuesday, May 3, 2011.

Dated: April 29, 2011.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of April, 2011, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, Wichita Falls Division, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ David A. Skeels

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